

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UMAR ALLI,

Plaintiff,

21-CV-09470 (PGG)(SN)

-against-

ORDER

G.R.V.C. WARDEN RENEE, et al.,

Defendants.

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SARAH NETBURN, United States Magistrate Judge:

This case, brought by Plaintiff proceeding *pro se*, has had a tortured beginning. Plaintiff filed his case on November 15, 2021, alleging that he was assaulted by Department of Correction officers on October 8, 2021. Plaintiff did not know the name of the officers at the time, and so the Court issued an order pursuant to Valentin v. Dinkins, 121 F.3d 72, 76 (2d Cir. 1997), and directed the City of New York to assist the Plaintiff. On April 1, 2022, the City identified some officers and requested a stay because of a pending investigation into the incident. The Court ordered the Clerk of Court, pursuant to Rule 21, to amend the caption of this case to add the newly identified officers (ECF No. 20), ordered service upon those officers (ECF No. 21), and otherwise granted a stay of the case (ECF No. 19). The City identified additional people on May 12, 2022, and the Court again amended the caption (ECF No. 27) and ordered service upon those individuals (ECF No. 28).

Then, on September 16, 2022, the City wrote to the Court because it was now possible that the date of the incident was October 7, 2021. ECF No. 36. The Court held a telephone conference on October 7, 2022, and issued a subsequent order that deemed Plaintiff's complaint

amended “such that any reference to October 8, 2021, will now [] refer to October 7, 2021.” ECF No. 38. Thereafter, on the consent of the Plaintiff, the defendants who had been identified by the City in connection with an alleged October 8 incident were dismissed (ECF No. 40), and the Court issued a new Valentin order in connection with an alleged October 7 incident (ECF No. 41).

That subsequent Valentin order resulted in the identification of new individuals alleged to have been involved in the October 7 incident. ECF No. 44. In response, the Court issued an Order of Service (ECF No. 45) but failed to issue an order amending the caption pursuant to Rule 21. Accordingly, pursuant to Rule 21 of the Federal Rules of Civil Procedure

IT IS ORDERED that the following individuals are added to the case:

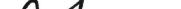
- C.O. E. Harris, Shield No. 555;
- C.O. R. Reid, Shield No. 8637;
- C.O. K. White, Shield No. 8507;
- C.O. J. Rodriguez, Shield No. 9665;
- C.O. F. Dawkins, Shield No. 7198;
- C.O. P. Ritter, Shield No. 7994; and
- Captain K. Parris, Shield No. 1784.

The Clerk of Court is respectfully requested to amend the caption accordingly.

The Court has already requested a waiver of service of summons of these individuals and requested confirmation by January 9, 2023. The Court extends this deadline to January 13, 2023.

SO ORDERED.

DATED: New York, New York
January 9, 2023


SARAH NETBURN
United States Magistrate Judge